

# NOTICE OF PRIVACY PRACTICES (NOPP) OF MOUNTAIN VIEW CHILD CARE, INC.

THIS NOTICE OF PRIVACY PRACTICES (HEREIN REFERRED TO AS "NOTICE") DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

**EFFECTIVE DATE OF THIS NOTICE:  
(Updated December 29, 2020)**

## **OUR PLEDGE TO PROTECT YOUR PRIVACY**

### **MOUNTAIN VIEW CHILD CARE, INC. (MVCC for purposes of this Notice)**

knows that medical information about a patient is personal. MVCC is committed to protecting the privacy of patient information. As a patient of MVCC, the care and treatment one receives is recorded in a medical record. This record provides documentation of the quality care received to the Medical Record must comply with certain legal requirements. This "Notice" applies to all the records of a patient's care generated by MVCC, whether made by MVCC personnel or by the medical staff. The medical staff may have different policies or notices regarding a doctor's use and disclosure of a patient's medical information created in the doctor's office or at an outpatient rehabilitation facility.

This Notice will tell patients about the ways in which MVCC may use and disclose patient medical information. It also describes patient rights and certain obligations MVCC has regarding the use and disclosure of medical information.

MVCC is required by law to:

- Assume that patient medical information is kept private (with certain exceptions).
- Distribute this Notice of MVCC's legal duties and privacy practices with respect to medical information.
- Follow the terms of the Notice that are currently in effect.

## **WHO WILL FOLLOW THIS NOTICE**

This Notice describes MVCC's practices and that of:

- Any health care professional authorized to enter information into a medical record.
- All departments of MVCC, including our outpatient rehabilitation clinic.
- All employees, volunteers, trainees, students, contractors and medical staff members of MVCC.

MVCC and its personnel will endeavor to follow the terms of this Notice. In addition, MVCC and its other entities and sites may share medical information with each other for purpose of treatment, payment or health care operations as described in this Notice.

## **HOW MVCC MAY USE AND DISCLOSE MEDICAL INFORMATION ABOUT PATIENTS**

The following categories describe different ways that medical information may be used and disclosed. For each category of use or disclosure, MVCC will briefly describe them and give some examples. Some information such as certain drug and alcohol information, HIV information and mental health information is entitled to special restrictions related to its use and disclosure. MVCC abides by all applicable state and federal laws related to the protection of this information. Not every use or disclosure will be listed in this Notice. All of the ways MVCC is permitted to use and disclose information, however likely, will fall within one of the categories listed below.

### **Disclosure at the Request of the Patient**

MVCC may disclose information when requested by a patient. This disclosure may require a written authorization.

### **For Treatment**

MVCC may use medical information about a patient to provide medical treatment or services. Medical information about a patient may be disclosed to doctors, nurses, technicians, students, or other MVCC

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personnel who are involved in caring for a patient in a Mountain View Child Care, Inc. facility. For example, a doctor treating a patient for a broken leg may need to know if such patient has diabetes because diabetes may slow the healing process. In addition, the doctor may need to tell the food service department if a patient has diabetes so that appropriate meals can be arranged. MVCC may also share medical information about a patient with other MVCC personnel or non-MVCC providers, agencies or facilities in order to provide or coordinate the different care and/or treatment needed, such as prescriptions, lab work or X-rays. Medical information also may be disclosed about a patient to people outside MVCC in preparation of meeting one's discharge needs, such as other health care providers, transport companies and community agencies.

## **For Payment**

MVCC may use and disclose medical information about a patient so that the treatment and services received at the MVCC facility or from other entities, such as an ambulance company, may be billed and payment collected from the patient, an insurance company or a third party. For example, MVCC may need to give information to one's health plan about therapy received at the MVCC facility so one's health plan will pay MVCC or reimburse the patient for the therapy. MVCC may also tell one's health plan about a proposed treatment to determine whether such plan will pay for the treatment.

## **For Health Care Operations**

MVCC may use and disclose medical information about a patient for health care operations. These uses and disclosures are necessary to run the MVCC facility and make sure that all patients receive quality care. For example, MVCC may use medical information to review treatment and services provided and to evaluate the

performance of MVCC staff in caring for a patient. MVCC may also combine medical information about many MVCC patients to decide what additional services should be offered, what services are not needed, and whether certain new treatments are effective. MVCC may also disclose information to doctors, nurses, technicians, medical students, and other MVCC personnel for review and learning purposes. MVCC may also combine the medical information of its patients with medical information from other hospital entities to compare how MVCC is doing and to see where improvements can be made in the care and services MVCC offers. MVCC may remove information that identifies a patient from this set of specific medical information so others may use it to study health care and health care delivery without learning of a specific patient name.

## **Appointment Reminders**

MVCC may use and disclose medical information to contact patients as a reminder of an appointment for treatment or medical care at a MVCC facility or through its contractual providers.

## **Health-Related Benefits and Services**

MVCC may use and disclose medical information to advise patient about MVCC's health-related products or services that may be of interest .

## **Fundraising Activities**

MVCC may use medical information about a patient, or disclose such information to a foundation related to MVCC, to contact a patient to provide information about MVCC sponsored activities, including fundraising programs and events.

MVCC would only use contact information, such as one's name, address and phone number and the dates one received treatment or services at MVCC. If a patient does not want MVCC to contact him/her for fundraising

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efforts, one must notify the Chief Executive Officer in writing.

## **Media Consent**

MVCC may contact a patient or one's family members to discuss whether or not one wants to participate in a media or news story. News reporters often seek interviews with patients injured in accidents or experiencing particular medical conditions or procedures. For example, a reporter working on a story about a new rehabilitation therapy may ask whether any of the patients undergoing that therapy at MVCC might be willing to be interviewed.

## **Hospital Directory**

If one is hospitalized, MVCC may include certain limited information about a patient in the MVCC directory. This directory is intended to assist one's family, friends and clergy to visit and generally know how a patient is doing. This directory information may include one's name, location in the facility, one's general condition (e.g., fair, stable, etc.) and one's religious affiliation. The directory information, except for one's religious affiliation, may also be released to people who ask for a patient by name. One's religious affiliation may be given to members of the clergy, such as ministers or rabbis, even if they do not ask for a patient by name. A patient may revoke the use or disclosure of this information by notifying the Case Management Department.

**Individuals Involved in Patient Care or Payment for a Patient's Care** Utilizing MVCC's Password system, a patient's medical information may be shared with one's family, friends, personal representative or any individual the patient identified. The patient's chosen password will be used to verify those individuals authorized for updates and information regarding one's medical status. MVCC may also give information to someone who helps pay for a patient's care. Unless there is a specific

written request from the patient to the contrary, MVCC may also tell one's family or friends about one's general condition and the fact that one is in the facility.

## **As Required By Law**

MVCC will disclose medical information about a patient when required to do so by federal or state law.

## **To Avert a Serious Threat to Health or Safety**

MVCC may use and disclose medical information about a patient when necessary to prevent or lessen a serious and imminent threat to one's health and safety or the health and safety of the public or another person. Any such disclosure would be to someone able to help stop or reduce the threat.

## **SPECIAL SITUATIONS**

### **Disaster Relief Efforts**

MVCC may disclose medical information about a patient to an entity assisting in a disaster relief effort so that one's family can be notified about one's condition, status and location.

### **Organ and Tissue Donation**

If a patient is an organ donor, MVCC may release medical information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.

### **Military and Veterans**

If a patient is or was a member of the armed forces, MVCC may release medical information about a patient to military command authorities as authorized or required by law. MVCC may also release medical information about foreign military personnel to the appropriate foreign military authority as authorized or required by law.

### **Workers' Compensation**

MVCC may use or disclose medical information about a patient for Workers'

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Compensation or similar programs as authorized or required by law. These programs provide benefits for work-related injuries or illnesses.

## **Public Health Disclosures**

MVCC may disclose medical information about a patient for public health purposes. These purposes generally include the following:

- To prevent or control disease, injury or disability;
- To report births and deaths;
- To report child abuse or neglect;
- To report adverse events or surveillance related to food, medications or defects or problems with products;
- To notify persons of recalls, repairs or replacements of products which the person may be using;
- To notify a person who may have been exposed to a disease or may be at risk of contracting or spreading a disease or condition;
- To report employer findings concerning a work-related illness or injury or workplace-related medical surveillance;
- To notify the appropriate government authority if MVCC believes a patient has been the victim of abuse, neglect or domestic violence and to make this disclosure as authorized or required by law.

## **Health Oversight Activities**

MVCC may disclose medical information to governmental, licensing, auditing, and accrediting agencies as authorized or required by law. These oversight activities include, for example, audits, investigations, and licensure issues. These activities are necessary for the government to monitor the health care system and compliance with civil rights laws.

## **Legal Proceedings**

MVCC may disclose medical information to courts, attorneys and court employees in

the course of conservatorship and certain other judicial or administrative proceedings.

## **Lawsuits and Other Legal Actions**

In connection with lawsuits or other legal proceedings, MVCC may disclose medical information about a patient in response to a court or administrative order, or in response to a subpoena, discovery request, warrant, summons or other lawful process.

## **Law Enforcement**

If asked to do so by law enforcement, and as authorized or required by law, MVCC may release medical information:

- to identify or locate a suspect, fugitive, material witness, or missing person;
- about a suspected victim of a crime if, under certain limited circumstances, MVCC is unable to obtain the person's agreement;
- to report a death suspected to be the result of criminal conduct;
- to report criminal conduct at MVCC; and
- to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime in case of a medical emergency.

## **Coroners, Medical Examiners and Funeral Directors**

In most circumstances, MVCC may disclose medical information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine cause of death. MVCC may also disclose medical information about patients to funeral directors as necessary to carry out their duties.

## **National Security and Intelligence Activities**

As authorized or required by law, MVCC may disclose medical information about a patient to authorized federal officials for intelligence, counterintelligence, and other national security activities.

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## **Inmates**

If a patient is an inmate of a correctional institution or under the custody of law enforcement officials, MVCC may release medical information to the correctional institution as authorized or required by law.

## **RIGHTS REGARDING**

### **MEDICAL INFORMATION ABOUT YOU**

A patient's medical information is the property of MVCC. However, a patient has the following rights, regarding medical information maintained by Mountain View Child Care, Inc. about such patient.

### **Right to Inspect and Copy**

With certain exceptions, a patient has the right to inspect and/or receive a copy of one's medical record.

To inspect and/or to receive a copy of medical information, one must submit a request to the Health Information Manager and then complete the required consent forms.

If one requests a copy of the medical information, there is a fee for such service.

MVCC may deny a request to inspect and/or to receive a copy of medical record information in certain limited circumstances. If one is denied access to medical information, one may have the denial reviewed and reconsidered.

### **Right to Request an Amendment or Addendum**

If a patient believes that medical information held by MVCC is incorrect or incomplete, one may ask MVCC to amend the information or add an addendum (addition) to the record. One has the right to request an amendment or addendum while the information is kept by MVCC.

To request an amendment or an addendum, a request must be made in writing and submitted to the Chief Executive

Officer or designee. In addition, one must provide a reason that supports the request.

MVCC may deny a request if it is not in writing or does not include a reason to support the request. In addition, MVCC may deny a request if one asks to amend information that:

- was not created by MVCC;
- is not part of the medical information kept by or for MVCC;
- is not part of the information which one would be permitted to inspect & copy; or
- is accurate and complete in the record.

Even if you're a request for an amendment or addendum is denied, a patient has the right to submit a written addendum, with respect to any item or statement in one's record which is believed to be incomplete or incorrect. If one clearly indicates in writing that one wants the addendum to be made part of the medical record, MVCC will attach it to the medical record and include it whenever a disclosure of the item or statement believed to be incomplete or incorrect is requested.

### **Right to an Accounting of Disclosures**

A patient or former patient has the right to receive "an accounting of disclosures". This is a list of the disclosures made of medical information about a patient other than for Mountain View Child Care, Inc.'s own uses, for treatment, payment, and health care operations, and with other exceptions pursuant to law.

To request a list or accounting of disclosures, one must submit a request in writing to the Chief Executive Officer. One's request must state a time period which may not be longer than six years and may not include dates before April 14, 2003. One is entitled to one accounting within a 12-month period at no cost. If one requests a second accounting within that same 12-month period, there will be a charge for the cost of compiling the accounting. MVCC will notify one of the cost

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involved and one may choose to withdraw or modify the request at that time before any costs are incurred.

In addition, MVCC will notify one as required by law if one's health information is unlawfully accessed or disclosed.

## **Right to Request Restrictions**

One has the right to request a restriction or limitation of the medical information used or disclosed about a patient for treatment, payment or health care operations. A patient also has the right to request a limit on the medical information disclosed to someone who is involved in the patient's care or the payment for the patient's care. For example, a patient could ask that MVCC not use or disclose information to a family member about an illness or injury.

***MVCC is not required to agree to a request.*** If MVCC does agree, such agreement must be in writing. MVCC will comply with a request unless the information is needed to provide emergency treatment.

## **Right to Request Confidential Communications**

A patient has the right to request that MVCC communicate with the patient about medical matters in a certain way or at a certain location. To request confidential communications, a patient must make one's request in writing to the Director of Patient Care.

## **Right to a Paper Copy of This Notice**

A patient has the right to a paper copy of this Notice. One may ask for a copy of this Notice at any time. Even if one has agreed to receive this Notice electronically, one is still entitled to a paper copy of this Notice.

## **CHANGES TO PRIVACY PRACTICES AND THIS NOTICE**

MVCC reserves the right to change its privacy practices and this Notice at any time. MVCC also reserves the right to

make the revised or changed Notice effective for medical information already in its possession as well as any information MVCC receives in the future. MVCC will make available a copy of the current Notice in the facility. In addition, each time one registers at or is admitted to the facility for treatment or services, whether inpatient or outpatient, MVCC will offer a copy of the current Notice in effect at the time.

## **QUESTIONS OR COMPLAINTS**

If one has any questions about this Notice, please contact the Chief Executive Officer or designee at the address and telephone number stated below.

If one believes his/her privacy rights have been violated, a complaint may be filed with MVCC at the following address: contact Chief Executive Officer at 1720 Mountain View Ave., Loma Linda, CA. 92354, (909) 796-6915). You also have the right to submit a complaint to the Secretary of the U.S. Department of Health and Human Services, 90 7<sup>th</sup> Street, Suite 4-100, San Francisco, CA. 94103, Telephone: (415) 437-8310, Fax: (415) 437-8329, TDD: (415) 437-8311, Attention OCR Regional Manager. All complaints must be submitted in writing *No penalty will attach for filing a complaint.*

## **Other uses of Medical Information**

Other uses and disclosures of medical information not covered by this Notice will be made only with one's written permission. If a patient provides MVCC permission to use or disclose medical information, such patient may revoke that permission, in writing, at any time. If the patient revokes the permission, MVCC will no longer use or disclose medical information about such patient for the reasons covered by the written permission. However, patients are advised and must understand that MVCC is unable to take back any disclosures already made with permission. Further, MVCC will retain records of the care provided to a patient as required by law.